



IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

JUDGE ROBERT P. RUEHLMAN
COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

JPMorgan Chase Bank, National
Association,

Plaintiff,

v.

Beau R. Parry aka Beau Parry, et al.,

Defendants.

Case No. A 1407270

Judge Robert P. Ruehlman
Magistrate Bachman

ENTERED

SEP 24 2015



D112078015

ENTRY ADOPTING MAGISTRATE'S DECISION AND ENTRY OF FINAL JUDGMENT

This matter is before the Court on Defendant The Bank of Kentucky, Inc.'s ("BOK") Motion for Summary Judgment on its Cross-Claim against Beau R. Parry aka Beau Parry ("Beau") and Christine B. Parry aka Christine Parry ("Christine") for a monetary judgment against Beau and Christine. BOK desires that the Court render judgment in its favor on the Note described therein. The Court having reviewed the Motion and for good cause shown, and no objections having been filed as to the Magistrate's Decision, the Court hereby **ORDERS** that Summary Judgment is granted in favor of BOK and against Beau and Christine, jointly and severally.

The Court finds that all necessary parties have been properly served, are properly before the Court, and that Beau and Christine have filed answers to BOK's Cross-Claim. Furthermore, in response to the allegation in paragraph 20 of BOK's Cross-Claim,¹ the defendants responded as follows: "Christine Parry admits liability on the "Second Note" described in the Cross-Claim and

¹ "As a direct and proximate result of Beau and Christine's breach of the Notes, as of January 9, 2015, Beau and Christine, jointly and severally, owe BOK the sum of \$253,856.35 plus pre and post judgment interest at the rate of interest provided in the respective Notes, plus attorneys' fees, court costs, and charges, the precise amount of which is to be determined at trial, and BOK respectfully demands a judgment in its favor and against Beau and Christine, jointly and severally in this amount."

admits that there is a default with respect to that Second Note” and “...Defendant otherwise admits all of the remaining allegations contained in Paragraphs 18 and 20 of the Cross-Claim.”

Based upon the record, the Court finds that BOK is and has always been the holder of the Note from Beau and Christine in the original principal amount of \$151,000.00 (the “Note”). Furthermore, the Court finds there is due and owing to BOK from Beau and Christine upon the Note, jointly and severally, the total sum of \$148,192.83 as of April 29, 2015, plus continuing interest at a rate of \$8.9975 per diem, plus court costs which shall continue to accrue.

Although the Note is secured by a mortgage, BOK has elected not to pursue foreclosure at this time, and is seeking only a monetary judgment on the Note.

IT IS THEREFORE ORDERED that BOK’s Motion for Summary Judgment is hereby granted, and Judgment is hereby entered in favor of BOK and against Beau and Christine, jointly and severally, for monetary damages in the amount of \$148,192.83 as of April 29, 2015, plus continuing interest at a rate of \$8.9975 per diem, plus court costs which shall continue to accrue.

The Court finds that there is no just reason for delay as to this Entry. Pursuant to Civ. R. 58(B), the Clerk is hereby directed to serve upon all parties not in default for failure to appear, notice of this judgment and its date of entry upon the journal. This is a final appealable order.

IT IS SO ORDERED.

Judge Robert P. Ruehlman
Hamilton County Court of Common Pleas

JUDGE ROBERT P. RUEHLMAN
Court of Common Pleas
Hamilton County, Ohio

Submitted By:

/s/ Paul T. Saba

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